

**19473. Misbranding of canned crabmeat. U. S. v. 19 Cases \* \* \*. (F. D. C. No. 33643. Sample No. 41925-L.)**

**LIBEL FILED:** August 14, 1952, District of Hawaii.

**ALLEGED SHIPMENT:** On or about July 31, 1952, by United Grocers, Ltd., from San Francisco, Calif.

**PRODUCT:** 19 cases, each containing 24 7 $\frac{3}{4}$ -ounce cans, of crabmeat at Hawaii, T. H.

**LABEL, IN PART:** "Wave King Brand Packed Fresh Dungeness Fancy Crabmeat \* \* \* Packed by Hallmark Fisheries Coos Bay Charleston, Oregon."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label designation "Fancy" was false and misleading since the article was not fancy because of its discoloration.

**DISPOSITION:** November 14, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for its use and not for sale.

**19474. Adulteration and misbranding of oysters. U. S. v. 254 Cans, etc. (F. D. C. No. 34079. Sample Nos. 57335-L, 57336-L.)**

**LIBEL FILED:** September 26, 1952, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 23, 1952, by the McNasby Oyster Co., from Annapolis, Md.

**PRODUCT:** 368 cans of oysters at Cleveland, Ohio.

**LABEL, IN PART:** "Fres-Shore \* \* \* Oysters Standards [or "Selects"] One Pint."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short of the declared volume.)

**DISPOSITION:** October 3, 1952. The shipper and consignee having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the oysters be disposed of either by delivery to a charitable institution or by destruction. Because of the condition of the oysters, they were destroyed.

**19475. Adulteration of canned shrimp. U. S. v. Pelican Oyster & Fish Co. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 33804. Sample No. 22221-L.)**

**INFORMATION FILED:** September 17, 1952, Eastern District of Louisiana, against the Pelican Oyster & Fish Co., a partnership, New Orleans, La.

**ALLEGED SHIPMENT:** On or about January 18, 1952, from the State of Louisiana into the State of Alabama.

**LABEL, IN PART:** (Can) "Frostie Brand Medium Wet Pack Shrimp."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed shrimp.

**DISPOSITION:** October 1, 1952. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$200.

## FRUITS AND VEGETABLES

### FROZEN FRUIT

**19476. Misbranding of frozen peaches. U. S. v. 498 Cases \* \* \*. (F. D. C. No. 33996. Sample No. 33823-L.)**

**LABEL FILED:** October 8, 1952, Western District of Michigan.

**ALLEGED SHIPMENT:** On or about September 14, 1952, by the Winter Garden Co., from Knoxville, Tenn.

**PRODUCT:** 498 cases, each containing 24 cans, of frozen peaches at Grand Rapids, Mich.

**LABEL, IN PART:** "Winter Garden Frozen Sliced with Syrup Peaches Net Wt. 10½ Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container was so filled as to be misleading since the cans could hold more peaches than were contained therein; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Wt. 10½ Ozs." was inaccurate (the article was short of the declared weight).

**DISPOSITION:** November 3, 1952. The Winter Garden Co., Knoxville, Tenn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law and relabeled, under the supervision of the Federal Security Agency.

**19477. Adulteration of frozen strawberries. U. S. v. 346 Cases \* \* \*. (F. D. C. No. 34075. Sample No. 13943-L.)**

**LABEL FILED:** September 29, 1952, District of Colorado.

**ALLEGED SHIPMENT:** On or about August 11, 1952, by the Northwest Cold Pack Co., from Seattle, Wash.

**PRODUCT:** 346 cases, each containing 4 10-pound cartons, of frozen strawberries at Denver, Colo.

**LABEL, IN PART:** "Camano Brand Sliced Marshall Strawberries \* \* \* Packed By Twin City Foods, Inc. Stanwood, Washington."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberries.

**DISPOSITION:** November 18, 1952. Decree of condemnation and destruction.

### VEGETABLES AND VEGETABLE PRODUCTS

**19478. Adulteration and misbranding of canned white kidney beans. U. S. v. D. E. Foote & Co., Inc., Vernon S. Crawford, and Charles W. St. Clair. Pleas of guilty. Fine of \$500, plus costs, against corporation and fine of \$100 against each individual. (F. D. C. No. 33821. Sample Nos. 6382-L, 38512-L.)**